

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services - Disciplinary proceedings against Sri P.Chandra Mouli, ACP, Banjara Hills, **(Retired)** - Withholding of 10% pension for a period of (5) years - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 10

Dated: 18/07/2014

Read the following:-

- Ref: 1) From the Director General of Police, A.P. Hyderabad Letter Rc.No.36/O2/2005, dated 6.5.2008.
2) G.O.Rt.No.1419, Home (Ser.I) Deptt., dated 29.07.2008
3) G.O.Rt.No.683, Home (Ser.I) Deptt., dated 26.03.2009
4) From the Director General of Police, A.P. Hyderabad Letter Rc.No.36/O2/2005, dated 23.02.2013.
5) Govt.Memo.No.15802/Ser.I/A2/2005, dated 08.05.2013
6) G.O.Rt.No.1156, Home (Ser.I) Deptt., dated 08.05.2013
7) From, DGP, AP, Hyd, Lr.No.36/O2-O4/2005, dated 11.07.2013
8) Govt.Lr.No.15802/Ser.I/A2/2005, dated 21.04.2014 addressed to the Secy, APPSC, Hyderabad
9) From, Secy, APPSC, Hyd, Lr.No.795/RT/3/2014, dated 10.07.2014

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ORDER:

In the reference 1st read above, the Director General of Police, A.P., Hyderabad has reported that in proceedings dated 01.02.2005, Sri P.Chandra Mouli, ACP, Banjara Hills, was placed under suspension. Subsequently, he was allowed to retire from service on attaining the age of superannuation on 31.3.2008, without prejudice to the continuance of disciplinary proceedings pending against him. The Director General of Police, A.P., Hyderabad, has further reported that the article of charges were issued to Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired) and Sri Y.Vijaya Kumar, formerly Inspector of Police, Jubilee Hills, now Deputy Superintendent of Police, under rule 20 of APCS (CC&A) Rules, 1991 vide Memorandums C.No.36/O2/05, dated 18.7.2006 and C.No.36/O2/05-1, dated 18.7.2006, respectively.

2. Sri P.Chandra Mouli, formerly ACP (now retired) acknowledged the said charge memo on 13.11.2006 and informed that the suspension order containing the same allegations, which has been set aside by the High Court. He did not submit his written statement of defence thereon. The co-delinquent, Sri V.Vijaya Kumar acknowledged the said charged memo on 27.7.2006 and submitted his written statement of defence on 28.8.2006, denying the charges framed against him. The Advocate General, High Court of A.P., Hyderabad has advised that though the issue of suspension of Sri P.Chandra Mouli is pending before Hon'ble Supreme Court, there was no bar for the Department to conclude the disciplinary proceedings, which was initiated against him, long back. Since, one of charged officers, Sri P.Chandra Mouli, ACP had retired from service, the Director General of Police, A.P. Hyderabad has transmitted the records to the Government, for its disposal as deem fit.

3. After examination of the entire matter, the Government have decided to conduct common enquiry against Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired) and Sri Y.Vijaya Kumar, formerly Inspector of Police, Jubilee Hills, now Deputy Superintendent of Police, under Rule 24 of APCS (CC&A) Rules, 1991 by appointing a common Enquiry Officer and Presenting Officer under clause (b) and (c) of Sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991 and accordingly, appointed Smt Chandana Khan, IAS, Member COI, as the Inquiring Authority and Smt K.Swarna Seshu, Advocate, as the Presenting Officer to present the case before the Inquiring Authority, vide reference 2nd read above.

P.T.O.

Later, Sri Vinoy Kumar Singh, IPS, Inspector General of Police (Training), Hyderabad, has been appointed as Inquiring Authority in place Smt Chandana Khan, IAS, Commissioner of Inquiries, for the reasons mentioned therein, vide reference 3rd read above.

4. In the reference 4th read above, the Director General of Police, Andhra Pradesh, Hyderabad has forwarded the report of the enquiry officer, in which the Inquiry Authority hold that the charge against Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired) is **proved** and the charge against Sri Y.Vijaya Kumar, formerly Inspector of Police, Jubilee Hills, now retired Deputy Superintendent of Police, is **not proved**.

5. Government accepted the findings of the Inquiry Authority and based on the records made available, have provisionally decided to impose **the penalty of withholding of 10% cut in pension for a period of five (5) years**, on Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired) under Rule (9) of A.P. Revised Pension Rules, 1980 and to drop the further action against the other co-delinquent Sri Y.Vijaya Kumar, formerly Inspector of Police, Jubilee Hills, now retired Deputy Superintendent of Police.

6. Accordingly, a show cause notice has been serviced on Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired) duly enclosing a copy of Inquiry Report, with a request to submit his explanation within (15) days from the date of receipt of the memo, as to why **the penalty of withholding of 10% cut in pension for a period of five (5) years**, should not be imposed on him for the charge held "**proved**" in the enquiry, vide reference 5th read above. The charged officer was also informed therein that he should submit his explanation with in (15) days from the date of receipt of the orders, otherwise further action will be taken as per rules in force.

7. In the reference 6th read above orders were issued dropping the further action against the other co-delinquent i.e., Sri Y.Vijaya Kumar, formerly Inspector of Police, Jubilee Hills, now retired Deputy Superintendent of Police.

8. In the reference 7th read above, , the DGP, AP, Hyderabad has furnished the dated acknowledgement of the charged officer. Since the charged officer has acknowledged the show cause notice on 31.05.2013 and did not submit any explanation, even by 05.09.2013.

9. Government after careful examination of the entire matter, with reference to the records made available, decided to confirm the provisional decision of imposing penalty of **withholding of 10% cut in pension for a period of 5 years** on Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired), on ex-parte, since the charged officer has not submitted his explanation to the show cause notice even after 4 months from the date of receipt of the show cause notice.

10. The Secretary, Andhra Pradesh Public Service Commission, in his letter 9th read above, has conveyed the concurrence of the Commission on the proposal of the Government.

11. Government after careful examination of the entire matter hereby impose the penalty of **withholding of 10% pension for a period of (5) years** on Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired), under Rule-9 (1) of A.P. Revised Pension Rules, 1980, read with rule 20 of APCS (CC&A) Rules, 1991.

9. A copy of the letter 9th read above received from the Secretary, Andhra Pradesh Public Service Commission, is herewith furnished to Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired),, as required under Rule-44 of APCS (CC&A) Rules, 1991.

P.T.O.

10. The Director General of Police, A.P., Hyderabad, is requested to take follow up action on implementation of the said penalty. The personal file received is herewith returned to the Director General of Police, Telangana, Hyderabad, which should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

Sri P.Chandra Mouli, formerly A.C.P., Banjara Hills (now retired),

through Director General of Police, Telangana, Hyderabad

The Director General of Police, Telangana, Hyderabad

Copy to:-

The Accountant General, A.P., Hyderabad.

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER